

*City of Las Vegas***AGENDA MEMO****PLANNING COMMISSION MEETING DATE: JUNE 11, 2009****DEPARTMENT: PLANNING AND DEVELOPMENT****ITEM DESCRIPTION: VAC-34209**

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**\*\* CONDITIONS \*\*****STAFF RECOMMENDATION: APPROVAL, subject to:**

1. The limits of this Petition of Vacation shall be a portion of the twenty-foot wide Public Drainage Easement generally located West of Stella Lake Street, north of Wheeler Peak Drive as shown and granted per the "Amended Map For Las Vegas Enterprise Park" on file in Book 77, Page 54 of Plats on file in the Clark County, Nevada, Recorder's Office.
2. A new easement acceptable to the Flood Control section of Public Works shall be granted prior to Recordation of an Order of Vacation.
3. All development shall be in conformance with code requirements and design standards of all City Departments.
4. The Order of Vacation shall not be recorded until all of the conditions of approval have been met provided, however, that conditions requiring modification of public improvements may be fulfilled for purposes of recordation by providing sufficient security for the performance thereof in accordance with the Subdivision Ordinance of the City of Las Vegas. City Staff is empowered to modify this application if necessary because of technical concerns or because of other related review actions as long as current City right-of-way requirements are still complied with and the intent of the vacation application is not changed. If applicable, a five-foot wide easement for public streetlight and fire hydrant purposes shall be retained on all vacation actions abutting public street corridors that will remain dedicated and available for public use. Also, if applicable and where needed, public easement corridors and sight visibility or other easements that would/should cross any right-of-way or easement being vacated must be retained.
5. If the Order of Vacation is not recorded within one (1) year after approval by the City of Las Vegas or an Extension of Time is not granted by the Planning Director, then approval will terminate and a new petition must be submitted.

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**\*\* STAFF REPORT \*\***

**PROJECT DESCRIPTION**

This is a request to Vacate a 20-foot wide drainage easement generally located on the west side of Stella Lake Street, 15 feet north of Wheeler Peak Drive. The applicant has indicated that the request to Vacate was submitted to correct the actual physical location of the drainage area, which is different than what is shown on the CLV record drawings and Book 77, Page 54 of Plats. Since the drainage easement is no longer being utilized in its intended form, staff recommends approval of this request.

**BACKGROUND INFORMATION**

<i><b>Related Relevant City Actions by P&amp;D, Fire, Bldg., etc.</b></i>	
12/21/94	The City Council approved a Rezoning (Z-0136-94) from R-E (Residence Estates) zone to C-PB (Planned Business Park) on 75.56 acres located on the west side of Martin L. King Boulevard, between Lake Mead Boulevard and Vegas Drive. The Planning Commission recommended approval of the request.
09/14/95	The Planning Commission approved a request for a Plot Plan Review [Z-0136-94(1)] for a proposed Office Park located on the west side of Martin L. King Boulevard, between Lake Mead Boulevard and Vegas Drive.
02/07/96	The City Council approved an Extension of Time [Z-0136-94(3)] for a Rezoning from R-E (Residence Estates) zone to C-PB (Planned Business Park) on 75.56 acres located on the west side of Martin L. King Boulevard, between Lake Mead Boulevard and Vegas Drive.
04/01/01	The City Council approved a Site Development Plan Review [Z-0136-94(8)] for a proposed 17,235 square-foot police substation on west side of Stella Lake Road, south of Mount Mariah Drive. The Planning Commission recommended approval of the request.
01/11/07	The Planning Commission approved a request for a Site Development Plan Review (SDR-18336) for three proposed parking lots on a cumulative 11.28 acres generally located on the north side of Vegas Drive, approximately 1,065 feet west of Martin L. King Boulevard
<i><b>Related Building Permits/Business Licenses</b></i>	
No relevant building permit or licensing history exists pertaining to this request.	
<i><b>Pre-Application Meeting</b></i>	
A pre-application meeting was neither required nor held for this Vacation request.	
<i><b>Neighborhood Meeting</b></i>	
A neighborhood meeting was neither required nor held for this Vacation request.	

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<i>Field Check</i>	
05/07/09	During a routine site inspection Staff observed well maintained 20-foot wide drainage channel.

<i>Details of Application Request</i>	
<i>Site Area</i>	
Gross Acres	0.03

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Police Substation / Office Park	LI/R (Light Industrial/Retail) & P-F (Public Facilities)	C-PB (Planned Business Park)
North	Police Substation	P-F (Public Facilities)	C-PB (Planned Business Park)
South	Office Park	LI/R (Light Industrial/Retail)	C-PB (Planned Business Park)
East	Office Park	LI/R (Light Industrial/Retail)	C-PB (Planned Business Park)
West	Single-Family Residences	ML (Medium Low Density Residential)	R-1 (Single Family Residential)

<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
<b>Special Area Plan</b>			
Las Vegas Enterprise Park	X		Y
West Las Vegas Plan	X		Y
<b>Special Districts/Zones</b>	<b>Yes</b>	<b>No</b>	<b>Compliance</b>
<b>Special Purpose and Overlay Districts</b>			
A-O Airport Overlay District – 105 Feet	X		Y
<b>Trails</b>		X	N/A
<b>Rural Preservation Overlay District</b>		X	N/A
<b>Development Impact Notification Assessment</b>		X	N/A
<b>Project of Regional Significance</b>		X	N/A

## LEGAL DESCRIPTION

A request has been submitted by Cox Communications Las Vegas Incorporated to Vacate a portion of an existing 20-foot wide drainage easement generally located on the west side of Stella Lake Street, 15 feet north of Wheeler Peak Drive.

The above property is legally described as follows:

A portion of the twenty foot wide public drainage easement as shown and granted per the “Amended Map For Las Vegas Enterprise Park” on file in Book 77, Page 54 of Plats on file in

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the Clark County, Nevada Records Office, being also a portion of Lot 3 as shown on said plat, lying within the Southwest Quarter (SW ¼) of Section 21, Township 20 South, Range 61 East, M.D.B.M., City of Las Vegas, Clark County, Nevada.

**ANALYSIS**

***A) Planning discussion***

This is a request to Vacate a 20-foot wide drainage easement generally located on the west side of Stella Lake Street, 15 feet north of Wheeler Peak Drive. This requested Vacation was submitted to correct the actual physical location of the drainage area, which is different than what is shown on the “Amended Map for Las Vegas Enterprise Park,” on file in Book 77, Page 54 of Plats. The applicant has indicated that they would like to realign the existing drainage easement between the two parking lots so the easement matches what was illustrated on the corresponding map. Since the drainage easement is no longer being utilized in its intended form, staff recommends approval of this request.

***B) Public Works discussion***

This Vacation application proposes to vacate an existing public drainage easement. As no right-of-way is proposed to be vacated, and thus no franchise rights are involved, it is not necessary to send this Vacation request to the utility companies and franchise holders, nor wait for their responses. Since only City easements are involved; any utility company interests will not be affected.

**NEIGHBORHOOD ASSOCIATIONS NOTIFIED**

18

**ASSEMBLY DISTRICT**      7

**SENATE DISTRICT**      4

**NOTICES MAILED**      4

**APPROVALS**      0

**PROTESTS**      0